



## U.S. District & Bankruptcy Courts for the District of Idaho 2000 Annual Report Summary



### Overview

The District and Bankruptcy Courts for the District of Idaho are committed to the highest level of service. We continue to be dedicated to the timely resolution of disputes, enhanced accessibility to court facilities and information, and equal treatment to all those who come before the Court.

During 2000, the Court completed a Long-Range Plan addressing the Court's future space, facilities and personnel needs. This twenty-year plan will serve as a road map for the District.

The Court's renewed focus on caseload management techniques also resulted in almost a three-month reduction in median disposition times for civil cases over the past two years. In the Bankruptcy Court, this emphasis on case management resulted in a 11% decrease in the median disposition time in Chapter 7 and Chapter 13 cases in calendar year 2000.

In the area of automation, several projects improved services to the bar and public including: installation of audio digital recording systems in the courtrooms, the implementation of a new automated jury management system and the continued expansion and improvement of Internet services, including an entirely new document imaging system designed to increase the speed and efficiency of accessing all scanned pleadings and other court documents.

We continue to work hard in supporting our mission to provide an impartial and accessible forum for the just, timely and economical resolution of legal proceedings, and to protect individual rights, and promote public trust and confidence.

*B. Lynn Winmill, Chief District Judge  
Jim D. Pappas, Chief Bankruptcy Judge  
Cameron S. Burke, Court Executive*

### “Access to Justice”...

#### Coeur d'Alene Project

After the successful completion of the beautiful, new Federal Courthouse in Pocatello during 1999, the Court focused its attention during 2000 on Coeur d'Alene. The Northern Facilities Committee convened and agreed to pursue a long range plan for Coeur d'Alene that would include additional space for the Clerk's Office and Probation & Pretrial Services as well as full-sized District Courtroom. GSA will be conducting a feasibility study to review the possible options. For the interim, a project plan was developed and approved for the addition of a hearing room/ grand jury space, with completion scheduled for September, 2001.

#### Long-Range Plan

In November, 2000 the District of Idaho completed its Long-Range Plan. This Plan will serve as a road map for the facility and personnel needs over the next twenty years in all divisions. This Plan used economic trends, population forecasts and caseload projections to determine long-term space and personnel needs.

#### Video Conferencing

Video conferencing systems have now been installed in all locations: Boise, Pocatello, Coeur d'Alene, and most recently, Moscow. The use of this technology has a two-fold beneficial effect, in that it significantly increases access to judicial officers in such a geographically-dispersed state like Idaho while reducing travel costs to divisional offices. Court proceedings are conducted on a weekly basis and the participants have strongly endorsed this new technology.

## New Courtroom Technology

During 2000, Digital Audio Recording systems were installed in two Boise courtrooms and two Pocatello courtrooms with plans to deploy four additional systems during 2001. A Digital Audio Recording system, which consists of a PC with a CD-ROM burner, can record an entire day of courtroom audio proceedings on one CD. The result is a far superior record at a lower price than tapes, with a higher degree of flexibility. The audio can be played back on a typical multi-media PC without the need for special 4-channel audio tape-based playback equipment, thereby again improving access to the bar and public. In Boise and Pocatello, evidence presentation systems have been installed, which allow litigants to display evidence on monitors or large screens in the courtrooms. Furthermore, computers on the bench and counsel tables assist the presentation of evidence and legal research. This technology has reduced trial time, lowered litigation costs, improved fact-finding, and improved access to court proceedings.

## Internet

The District of Idaho's award-winning Internet website, [www.id.uscourts.gov](http://www.id.uscourts.gov), continues to lead the nation in per capita usage. During 2000, successful "hits" on our website topped 6.6 million, which represents a 93% increase after a 143% increase during the prior year. Likewise, successful user sessions skyrocketed by 127%. During the past year, the website was extensively revised to improve navigation and generally make it even more "user-friendly." Enhancements include: use of a "cascading" menu; a topical search tool; the latest court news bulletins; an archives of older announcements; a map containing relevant divisional information; an expanded attorney resource section; the addition of an Unclaimed Funds search utility; notices of pending bankruptcy sales; and handy links to other Judiciary sites.

As part of the planned expansion of the District's document imaging system, the entire imaging solution was replaced during the past year. This resulted in a faster and more efficient scanning process, including the automatic routing of scanned documents using bar coding techniques. These upgrades have resulted in much greater speed as well as storage capacity, thereby improving access by the bar, public and governmental agencies. The document imaging project, which now includes all judgments and legal documents filed with the court, has made documents available free of charge over the Internet.

Access to this system provides timely information on such items as notices of upcoming events, court calendars, statistical data, judges' opinions plus an interactive version of many on-line forms. Our Internet webpage also includes the popular "History & Student Information" section which traces the History of the Federal Court in Idaho and contains articles on selected Idaho territorial judges, the biographies on all past and present Idaho federal judges and a "Historical Prospective" authored by current Chief District Judge B. Lynn Winmill. It also provides useful links to various national historical documents. Access to this system may be why the District of Idaho routinely receives a 95% excellence rating from customer satisfaction surveys.

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## *“Cooperation and Collaboration”...*

## Federal and State Judiciary Joint Efforts

The Idaho Federal and State judges continue to share resources and information. Such programs as the certification and testing of interpreters, efforts on equality, gender fairness, civility and rules for alternative dispute resolution (ADR) programs continue to improve services. Both Court systems also adopted a Uniform Code of Professional Responsibility for Court Interpreters in Idaho. During 2000, a series of five, two-day workshops for Court Interpreters were co-sponsored by the District of Idaho and Idaho Supreme Court. As a result of this collaboration, seven candidates have been certified in the Spanish language. By working with the state courts, the federal courts in Idaho also have access to ten other testing and certification examinations for exotic languages. The state and federal courts also continue to share court facilities to reduce costs to the public.

## Chapter 13 Summit

The U. S. Bankruptcy Court for the District of Idaho in conjunction with the U. S. Trustee's Office jointly sponsored a Chapter 13 Summit in November, 2000, which reviewed current practices and procedures utilized in Chapter 13 cases throughout the District of Idaho. One of the primary goals of this meeting was to allow participants the opportunity to make constructive suggestions concerning the Chapter 13 process. A number of these recommendations have since been incorporated in the new Chapter 13 Plan. Also during 2000, regional bankruptcy law discussion groups were organized in Boise, Coeur d' Alene, Moscow, Twin Falls, Pocatello, and Idaho Falls to review news and information of interest to bankruptcy attorneys, to exchange ideas, and to keep current on new developments in bankruptcy law. These groups meet informally, usually monthly.

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## *"Independence and Accountability"...*

### New Chief Magistrate Judge

Magistrate Judge Larry M. Boyle assumed the duties and responsibilities as Chief Magistrate Judge on April 3, 2000. He replaced Magistrate Judge Mikel H. Williams, who had served in that capacity for approximately the past twelve years. Judge Boyle was appointed as a U. S. Magistrate Judge in 1992. Previously, he had served as a Justice of the Idaho Supreme Court. In 1998, he was appointed by United States Supreme Court Justice William H. Rehnquist to the United States Judicial Conference Committee on the Administration of the Magistrate Judges System.

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## *"Expedition and Timeliness"...*

### Alternative Dispute Resolution (ADR)

The District of Idaho continues to provide three models of alternative dispute resolution (ADR) arbitration, mediation, and settlement conferences. Judicial settlement conferences conducted by the magistrate judges have achieved a combined settlement rate of over 60%. In the District of Idaho, a total of nine cases were referred to mediation in 2000. Recent surveys of all federal practitioners who have participated in mediation reveal that the vast majority felt that, even if the process did not result in outright settlement, it helped expedite a resolution. Furthermore, in terms of the satisfaction quotient, the overwhelming majority stated that they would use mediation again. The District of Idaho continues its representation on the Ninth Circuit Committee, which has been at the forefront of the national ADR movement and has adopted a Model ADR Local Rule. These rules are expected to improve litigants ability to settle lawsuits at reduced costs. Most recently, the revised ADR rules were incorporated into the new District Court Local Rules, which became effective on January 1, 2001.

### Case Management

The District of Idaho's commitment to timeliness and expediency was reflected in a significant reduction in the median disposition time for civil cases. Over the past two years, this number has dropped from 13 to 10½ months. During 2000, the District of Idaho was assisted in its efforts by renown Case Management expert, Maureen Solomon, who provided invaluable guidance with respect to pro-active case management concepts and techniques. These include: increased early judicial involvement; continuous monitoring on a timely basis; certainty of scheduled events; enforcement of deadlines; case complexity analysis; imposition of staged discovery; a "reverse-telescope" approach to trial settings; confirmed status of pleadings and motions deadlines and hearings; and a self assessment by the Court. Also during 2000, the Bankruptcy Court implemented a number of measures designed to reduce case processing times. These included: periodic discussions with Panel Trustees; improved monitoring techniques; the generation of new reports; and new judicial procedures. The immediate success of these measures were reflected in an 11% decrease in median disposition times for Chapter 7 and 13 cases.

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## *“Public Trust and Confidence”...*

### Budget and Audits

The combined initial budget allotment for the District and Bankruptcy Courts in Idaho, for Fiscal Year 2001, beginning October 1, 2000, totaled \$4,030,170. This represents the first significant increase in over three years. During calendar year 2000, the District of Idaho operated a full 12 positions below the nationally-mandated 84% staffing limit in order to fund the necessary expenditures under a decentralized budget system to achieve our standards of excellence. It should be noted that the national judiciary budget is less than two tenths of one percent of the entire federal budget.

National audits conducted by Clifton Gunderson, confirmed again that the financial procedures in Idaho comply with Government Accounting Standards, and that all funds had been properly accounted for. The Internal Controls Manual was revised during 2000 to incorporate the changes in procedures necessitated by the implementation of the new FAS4T and JMS systems.

### FAS4T

After the successful implementation of the FAS4T (Financial Accounting System for Tomorrow) project the previous year, the District of Idaho acted as a “mentor” to various federal courts across the country during 2000, in an attempt to minimize the pitfalls and smooth the transition to the new system. In addition to providing assistance in the creation of a nationwide training module, several financial and budget representatives from Idaho were selected by the Administrative Office of the U. S. Courts to provide “hands-on” assistance to certain courts at key phases of the implementation process. FAS4T is a Windows-based, integrated financial management system, which links to the Central Accounting System in Washington D.C. This program provides a modern accounting structure in the federal courts, which improves accountability and financial internal controls.

### Death Penalty Cost Control Program

During 2000, the District of Idaho lent advisory and technical assistance to the Ninth Circuit in its on-going efforts to develop a Death Penalty Cost Control Program. This web-accessible program would establish budgeting standards, track, and thereby control the burgeoning costs associated with this highly specialized area. It is anticipated that Beta testing will be completed during the Spring of 2001.

### Consolidation

Since 1985, the District and Bankruptcy Courts in Idaho have been consolidated and are one of only three courts in the nation with this administrative structure. It is estimated that this structure results in annual savings of at least \$200,000 in the District of Idaho. Some of the benefits include sharing of court facilities, flexibility and reduction of personnel resources, convenience, and consistent delivery of services to bar and public.

### Cost Savings

The District of Idaho continues to send out approximately 650,000 annual notices from the national Bankruptcy Noticing Center in Washington D.C. This Noticing Center has saved the Judiciary over \$13 million since its inception in 1993. The most recent change included a conversion to an electronic noticing process for the larger corporate and agency creditors, which virtually eliminates both postage and paper costs. It is estimated that this enhancement alone has resulted in a savings of approximately \$2 million.

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## *"Knowledge and Education" ...*

### Training and Outreach Programs

The District of Idaho took a very active role in the National Law Day 2000 Program, whose theme was "Judicial Independence is for You." Approximately 80 high school seniors from both the Boise and the Pocatello areas participated in the town hall forum setting. Both courthouses viewed the live national FJTN (Federal Judicial Television Network) presentation of a mock trial involving the search of a backpack in a high school setting. The two Idaho courthouse locations were linked together by video conferencing. Judges, prosecutors and federal defenders assisted the students in their discussions. The District of Idaho also figured prominently in the Federal Courts' Teachers Institute Program, and, in fact, was selected as a site where FJTN television cameras captured the proceedings for subsequent airing as a segment of the "Court-to-Court" News Magazine broadcast. The Court continues to conduct educational programs for the bar, litigants and schools. The Annual District Conference, the annual, multi-day Criminal Defense Bar Workshop as well as participation in the Inns of Court and the State Bar's Practical Skills Program, continues to provide an excellent opportunity to inform the public about new programs, procedures or helpful hints. The Court continues to emphasize community education by conducting regular tours, sponsoring state-wide mock trial competitions, and encouraging elementary students to learn about the Judicial Branch by conducting mock trials such as the Government vs. Goldilocks.

### Annual District Conference

The Annual District Conference held in July, 2000 at Sun Valley marked the first "joint" Federal/State Court Conference. The Federal Practice Program included an interesting panel presentation on the experiences, observations and impressions of five fellow jurors during a five week trial. Other sessions included an update on the return of mandated Rule 26 disclosures; the anatomy of a criminal case from pre-indictment through the grand jury process, procedural order, discovery and the Sentencing Guidelines. The Conference also included an interesting program entitled "Understanding the Bankruptcy Code."

### Court-wide Training Conference

A two day Court-wide Training Conference was held in late October that involved Clerk's Office staff from all divisions as well as all judges, law clerks, chambers staff and Probation & Pretrial Services. Concurrent classes were held covering a variety of practical and informative topics including: habeas corpus and prisoner complaints; case flow management; travel regulations update; personal safety for women, electronic legal research and Internet usage tips; team building and collaborative exercises and wilderness survival. Extracurricular sporting activities and a group dinner capped the two day affair. Judging from the positive responses, it is expected that this will be an annual event.

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## *"Equality, Fairness, and Integrity" ...*

### Jury Modernization System (JMS)

A new nationwide jury management system (JMS), was implemented in the District of Idaho during 2000. The program is designed to streamline labor-intensive operations, refine and enhance standardization, and improve overall efficiency and cost effectiveness. JMS also interfaces with the aforementioned FAS4T accounting system. The District of Idaho continues to be one of the leaders in the nation in conserving resources spent on juror service. A prime example is the utilization of an automated, dial-out, notification system known as "Octopus," which telephones jurors who are scheduled to report for jury service the following day. This system results

in a more efficient use of judicial resources by effectively eliminating the need to summon “extra” jurors to compensate for “no-shows.” Our exist questionnaires reflect that the jurors consider this both a rewarding and informative experience. The Plan for the Random Selection of Grand and Petit Jurors now uses drivers license records in combination with the general election voters registration as the primary sources for jury selection, to ensure a fair and representative cross-section of the community. Separate Grand Jury Panels are now convened at each divisional location with their members randomly selected from the Divisional Master Wheel comprised of the various counties which encompass that division. Furthermore, in an attempt to minimize delay while improving overall efficiency, the District of Idaho is one of the few federal courts in the country that employs a true “one-step” method, whereby prospective jurors are both summoned and qualified as part of the same mailing.

### District Court Local Rules Revision

During 2000, the District Court Local Rules Committee completed a comprehensive revision of the Civil and Criminal Local Rules. Although somewhat necessitated by the Amendments to the Federal Rules of Civil Procedure, new rules were adopted on fairness and civility as well as sealed records to ensure the privacy of certain documents. Amendments to existing rules

encompassed the following topics: fax filing; motion practice; length of briefs and time frames; timing of scheduling conference; timing of trial submissions; ADR; limitation on the number of interrogatories and the length of a deposition; shortening of time period for dismissal of actions by Court for lack of prosecution; taxation of costs, (including new worksheet containing built in formulas); custody of trial exhibits; and substitution of attorneys. Under the new motion practice system, it will be the responsibility of the attorney for the moving party to prepare a notice of hearing and serve opposing counsel.

### District of Idaho Judicial & Administrative Officers

Stephen S. Trott	Judge, Ninth Circuit Court of Appeals
Thomas G. Nelson	Judge, Ninth Circuit Court of Appeals
B. Lynn Winmill	Chief District Judge
Edward J. Lodge	District Judge
Jim D. Pappas	Chief Bankruptcy Judge
Terry L. Myers	Bankruptcy Judge
Larry M. Boyle	Chief Magistrate Judge
Mikel H. Williams	Magistrate Judge
Cameron S. Burke	Court Executive
Sue Beitia	Chief Deputy Clerk

Please Note: This is meant only as a brief summary. A more detailed and statistically complete version is accessible on our website at [www.id.uscourts.gov](http://www.id.uscourts.gov) under Plans/Reports/ Manuals.



## Caseload Highlights

### Civil

% Civil filings up 21%.  
 % Northern filings (Coeur d'Alene) up 41%.  
 % Central filings (Moscow) up 32%.  
 % Contract cases up 36%.  
 % Civil Rights cases up 43%.  
 % Prisoner petitions up 29%.  
 % Number of civil trials remain the same.  
 % Median disposition time for civil cases has decreased from 13 to 10 months during past two years.

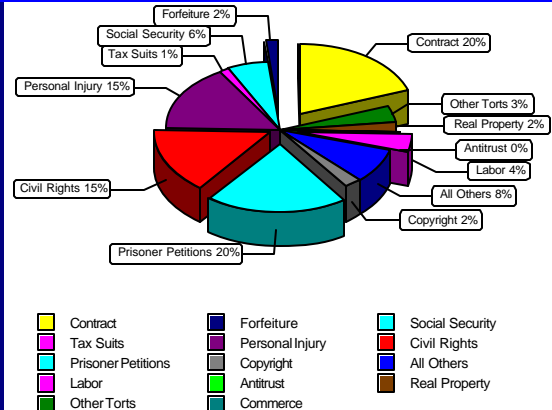
### Criminal

% Criminal case filings up 18%.  
 % Criminal case terminations up 11%.  
 % Pending criminal cases down 7%.

### Civil Workload

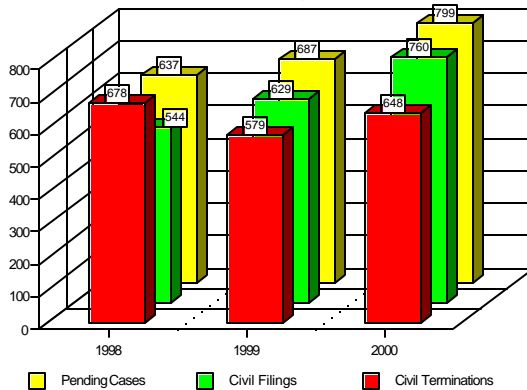
	1998	% Change	1999	% Change	2000
Civil Filings	544	16%	629	21%	760
Civil Terminations	678	-15%	579	12%	648
Pending Civil Cases	637	8%	687	16%	799

### 2000 CIVIL CASE FILINGS BY TYPE



### ANNUAL CIVIL WORKLOAD

For 12 Month Period Ending December 31



### District Court Judge Trial and Hearing Activity

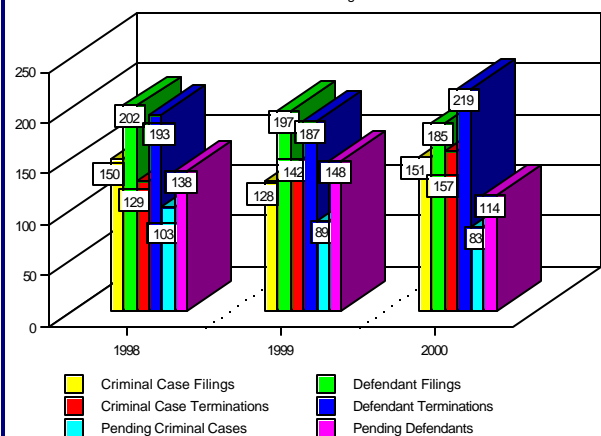
	1998	% Change	1999	% Change	2000
<b>Civil</b>					
Number of Trials	29	-21%	23	0%	23
Days in Trial	77	25%	96	-19%	78
Hours in Trial	355	37%	485	-26%	391
<b>Criminal</b>					
Number of Trials	70	-34%	46	34%	37

### Criminal Workload

	1998	% Change	1999	% Change	2000
Criminal Case Filings	150	-15%	128	18%	151
Defendant Filings	202	-2%	197	-8%	205
Criminal Case Terminations	129	10%	142	11%	157
Defendant Terminations	193	-3%	187	17%	219
Pending Criminal Cases	103	-14%	89	-7%	83
Pending Criminal Defendants	138	7%	148	-23%	114

### CRIMINAL CASE WORKLOAD

for the 12 Month Period Ending December 31



## Caseload Highlights

### Bankruptcy

% Bankruptcy filings down 2% overall.  
 % Chapter 7 filings remain the same.  
 % Chapter 13 filings down 9%.  
 % Chapter 12 lapsed on June 30, 2000.  
 % Bankruptcy filings up 4% in Pocatello and 8% in Twin Falls.

### Other Noteworthy Items

% Despite 7% increase in trials, percentage of jurors not selected, serving or challenged rose only 2%.  
 % Internet web site hits up 93%.

### Bankruptcy Filings by Chapter

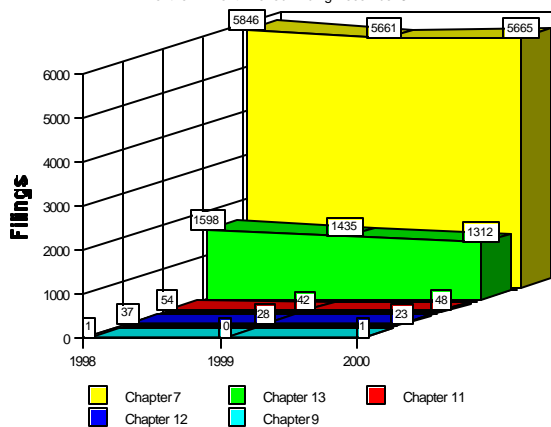
	1998	% Change	1999	% Change	2000
Chapter 7	5,846	-3%	5,661	0%	5,665
Chapter 9	1	-	0	-	1
Chapter 11	54	-22%	42	14%	48
Chapter 12	37	-24%	28	-18%	23
Chapter 13	1,598	-10%	1,435	-9%	1,312
Sub-Total	7,536	-5%	7,166	-2%	7,049

### Bankruptcy Filings by Location

	Boise	Pocatello	Moscow	Coeur d'Alene	Twin Falls	Total
1998	3,435	1,544	556	1,176	825	7,536
% Change	0%	-10%	-8%	-7%	-10%	-5%
1999	3,421	1,393	509	1,097	746	7,166
% Change	-4%	4%	-10%	0%	8%	-2%

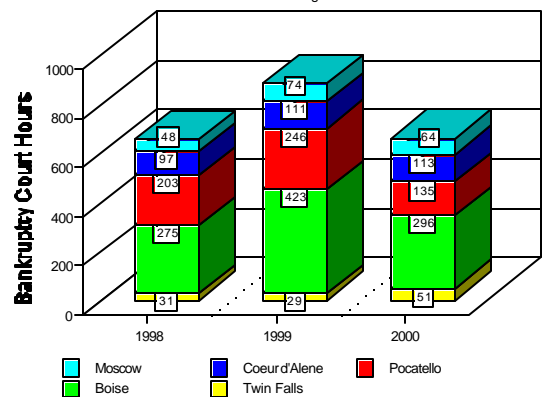
### BANKRUPTCY FILINGS BY CHAPTER

for the 12 Month Period Ending December 31



### BANKRUPTCY COURT HOURS BY LOCATION

for the 12 Month Period Ending December 31



### Internet Website Usage

	1998	% Change	1999	% Change	2000
Total Number of Successful Hits	1,422,313	143%	3,457,325	88%	5,859,273
Total Number of User Sessions	112,707	50%	169,320	127%	383,845
Average Hits per Day	3,896	143%	9,472	82%	15,484
Average User Sessions per Day	308	50%	463	128%	1,045

### Juror Utilization

	1998	% Change	1999	% Change	2000
Civil Jury Trials	12	58%	19	-32%	13
Criminal Jury Trials	14	-21%	11	73%	19
Total Jury Trials	26	15%	30	7%	32
Selected or Serving	261	9%	285	13%	321
Challenged	371	8%	399	15%	460
Not Selected, Serving or Challenged	181	-9%	165	27%	210
Jurors Reporting	813	4%	849	17%	991
% Not Selected, Serving or Challenged	22%	3%	19%	2%	21%